



**State of Utah**  
**Department of**  
**Natural Resources**

MICHAEL R. STYLER  
*Executive Director*

**Division of**  
**Oil, Gas & Mining**

JOHN R. BAZA  
*Division Director*

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

June 30, 2005

Mr. Kyle Kimmerle  
Kimmerle Mining, LLC  
4056 Beeman  
Moab, Utah 84532

Subject: Complete Notice of Intention to Commence Small Mining Operations, Kimmerle Mining LLC, Neighbor Mine, S/037/119, San Juan County, Utah

Dear Mr. Kimmerle:

Thank you for your Notice of Intention to Commence Small Mining Operations and initial \$150.00 permit application fee, received by the Division on June 6, 2005, and supplemented with information received June 24, 2005. The project is identified as being in the SW¼ of Section 25, Township 31 South, Range 24 East, SLBM.

The Division finds your notice complete; however, you must submit a Reclamation Contract and surety in the amount of \$10,500 in a form acceptable to the Division. Acceptable forms include Letters of Credit, Certificates of Deposit, surety bonds or cash. Please contact Beth Ericksen at 801-538-5318 or [bethericksen@utah.gov](mailto:bethericksen@utah.gov) for the current forms and information about how to submit the reclamation surety. We have included a Reclamation Contract for your use. Please send/fax a "draft" copy of the contract for our review before it is signed and notarized.

The Bureau of Land Management has issued approval for **exploration only** at this site. Therefore, although the Division is accepting your small mine notice, operations must be limited to exploration until you have approval from the Bureau of Land Management to begin mining.

In addition, the approval letter from the Bureau of Land Management requires that you not begin operations until July 1, 2005, or later because of nesting swallows, and that you enter the mine and look for bats before beginning

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exploration operations. If bats are found in groups of 10 or more, you must stop any work in the vicinity of the bats and notify the BLM and the Division. The BLM authorized officer will do the necessary surveys, evaluate the situation, and notify you within 10 days of measures needed to protect the bats.

In addition, your notice says rainwater has entered the mine and that you will be pumping out this water. This may require a UPDES (Utah Pollution Discharge Elimination System) permit from the Division of Water Quality in the Department of Environmental Quality. Please contact them at 801-538-6146.

The text of the notice says you will disturb 1.5 acres, but the map says the disturbance is 1.7 acres. Since this map shows areas of pre-existing disturbance that you do not intend to use, we assume your disturbance area will be 1.5 acres. Please notify us if this is not correct.

If you have questions or concerns regarding this letter, please contact me at (801) 538-5258 or Paul Baker at 538-5261. We look forward to receiving your reclamation surety and completed reclamation contract.

Sincerely,

A handwritten signature in black ink that reads "Susan M. White". The signature is written in a cursive style with a long, sweeping underline.

Susan M. White  
Mining Program Coordinator  
Minerals Regulatory Program

SMW:PBB:jb  
Enclosure: Reclamation Contract form  
cc: Ted McDougall, Monticello BLM  
Lyle Stott, Water Quality  
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